



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

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BY ECF

Hon. Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Vasquez*, 15 Cr. 624 (VEC)—VOSR Proceeding

Dear Judge Caproni:

The Government writes in regard to the violation report charging the defendant with the New York state crimes of attempted rape in the first degree and attempted sexual abuse in the first degree.

In his letter filed earlier today, the defendant stated, "We agree that there is no need for the government to call live witnesses and we do not object to the introduction of the state court transcript as the government's proof." Dkt. 65. In light of that statement, the Government does not object to leaving the defendant in state custody and postponing any violation hearing until the pandemic has abated.

Defendant's VOSR hearing is adjourned sine die, pending the conclusion of his state court appeal. The Court finds that there is no need for live testimony and that the Government may introduce the state court transcript as its proof at the VOSR hearing. Defense counsel is instructed to file a status report on Defendant's state court appeal every six months, with the first report due January 4, 2021. The Clerk of Court is respectfully requested to terminate the open motion at Dkt. 64.

SO ORDERED.


10/1/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

AUDREY STRAUSS
Acting United States Attorney

/s/ Kevin Mead

Kevin Mead
Assistant United States Attorney
(212) 637-2211

CC: Sarah Kunstler, Counsel for Juan Vasquez (by ECF)